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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/636,122

08/07/2003

Jonathan Maron

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09/20/2006

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EXAMINER

MABINI, MARVIN

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/636,122	MARON, JONATHAN	
	Examiner	Art Unit	
	Marvin Mabini	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20031107</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 13-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per claim 13-18, the invention is directed to a computer related manufacture, that is a functional program combined with an improper medium. According to the instant application's specification paragraph 34, applicant defines medium as a signal by stating "...or communicated via a data signal from a communication medium". The computer readable medium must be physical structure, which provides the functional descriptive material in usable form to permit the functionality to be realized with the computer. A program product which does not explicitly include such a medium, a program per se, a signal or other type of transmission media that fails to include the hardware necessary to realize the functionality (e.g., a transmitter or a receiver), and a piece of paper with the functional descriptive material written on it are all examples of media which are not believed to enable the functionality to be realized with the computer.

Applicant is advised to claim a proper computer readable medium (not e.g. a signal) encoded with functional descriptive material that can function with a computer to effect a useful, concrete and tangible result.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, line 7 states "said at least one process management service". It is not clear as to which process management service in the enterprise application this refers to. In addition line 9 also states "said at least one process management service". The method provides process management services in an enterprise application. It becomes unclear to which process management service applicant is referring to in lines 7 and 9.

As per claim 13, line 6 states "said at least one process management service". In addition line 8 also states "sad at least one process management service". It is not clear as to which process management service applicant is referring to.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 677216 to Ankireddipally et al (hereinafter Ankireddipally).

As per claims 1 and 13, Ankireddipally discloses a method and computer program product (see software product - Ankireddipally column 23 lines 32-40) for providing process management services in an enterprise application (see commerce exchange, cx server – Ankireddipally column 11 lines 26-34) comprising at least one remote Web service, said method comprising (see Ankireddipally abstract):

- Registering (see signed up– Ankireddipally column 11 lines 26-34) available process management objects (see components – Ankireddipally column 11 lines 26-34) associated with said at least one remote Web service (see Ankireddipally figure 1 blocks 26,22,24) with a process management object server, PMOS (see XML/DOM service – Ankireddipally column 14 lines 49-53), at said enterprise application (CX server – Ankireddipally column 11 lines 26-34),
- said process management objects comprising at least one process management service (see processing services – Ankireddipally column 11 lines 56-61);
- receiving (see service request – Ankireddipally column 12 lines 6-11), at said enterprise application, a request for said at least one process management service (see processing services – Ankireddipally column 11 lines 56-61);

- communicating (see interfaces – Ankireddipally column 12 lines 49-51), from said PMOS, said request for said at least one process management service to said process management object (see components – Ankireddipally column 12 lines 60-63); and
- returning (see returns – Ankireddipally column 12 lines 11-14) process management information from said process management object responsive to said request (see request – Ankireddipally column 12 lines 11-14).

Note: Disposed and associated relate to the definition of being dependent. Management information objects and process management objects are both treated as object types.

As per claims 2 and 14, Ankireddipally discloses registering (see subscribe – Ankireddipally column 12 lines 39-41) said at least one remote Web service (see Ankireddipally figure 1 blocks 26,22,24) with a proxy service (see Ankireddipally figure 1 block 400; also see control – Ankireddipally column 20 lines 9-12) in said enterprise application, wherein said proxy service implements an interface (see interaction – Ankireddipally column 20 lines 12-14) defined according to said enterprise application to enable communication (see interaction – Ankireddipally column 20 lines 9-14) with said at least one remote Web service (see Ankireddipally figure 1 blocks 26,22,24); wherein said communicating includes: receiving (see requesting – Ankireddipally column 20 lines 9-14), at said proxy service, said request for said at least one process management service (see processing services – Ankireddipally column 11 lines 56-61);

and interfacing said request (see interactions – Ankireddipally column 20 lines 28-32) with said process management object associated with said at least one remote Web service (see service application – Ankireddipally column 20 lines 28-32).

As per claims 3 and 15, Ankireddipally discloses exposing, by said enterprise application, said proxy service when access is permitted (see secured access – Ankireddipally column 3 lines 63-66) according to security parameters (see SSL – Ankireddipally column 4 line 10).

As per claims 4 and 16, Ankireddipally discloses generating a log (see transaction log – Ankireddipally column 19 lines 32-35) of access to said process management object associated with said at least one remote Web service (see service application – Ankireddipally column 19 lines 13-15).

As per claims 5 and 17, Ankireddipally discloses encapsulating said process management information in an Extensible Markup Language ,XML file (see XML – Ankireddipally column 9 lines 27-30).

As per claims 6 and 18, Ankireddipally discloses performing a remote procedure call (see application to application communication – Ankireddipally column 8 lines 59-62) from said PMOS to said process management object associated with said at least

one remote Web service (see plurality of applications – Ankireddipally column 8 lines 59-67)

As per claim 7, Ankireddipally discloses a system for providing process management resources to an application implementing distributed services comprising (see facilitate functional interoperation – Ankireddipally column 6 lines 61-67):

- a controlled run-time environment (see transaction execution space – Ankireddipally column 12 lines 2-4) within said application controlling execution of said distributed services (CX server – Ankireddipally column 12 lines 2-4);
- a management resource registry (see service list – Ankireddipally column 11 lines 66-67) for registering distributed process management resources associated with said distributed services (see services – Ankireddipally column 11 lines 66-67); and
- a resource interface enabling communication (see communication connection – Ankireddipally column 11 lines 48-55) between said application and said distributed process management resources (see service application – Ankireddipally column 11 lines 48-55).

As per claim 8, Ankireddipally discloses a proxy service (see Ankireddipally figure 1 block 400; also see control – Ankireddipally column 20 lines 9-12) within said application configured to communicate (see interaction – Ankireddipally column 20 lines

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9-14) with a predetermined one of said distributed services (see service application – Ankireddipally column 20 lines 28-32); and communication code (see application to application communication – Ankireddipally column 8 lines 59-62) within said management resource registry for executing a remote procedure call to said distributed services (see plurality of applications – Ankireddipally column 8 lines 59-67).

As per claim 9, Ankireddipally discloses a process management base (see transaction service – Ankireddipally column 11 lines 56-61) for storing process management information (see transaction log – Ankireddipally column 19 lines 32-35) received from said distributed process management resources (see service application – Ankireddipally column 19 lines 13-15) responsive to a request for said process management information (see request – Ankireddipally column 12 lines 4-11).

As per claim 10, Ankireddipally discloses said process management information is stored in an Extensible Markup Language, XML format (see XML – Ankireddipally column 9 lines 27-30).

As per claim 11, Ankireddipally discloses a security application (see SSL – Ankireddipally column 4 line 10) for controlling access to said resource interface (see secured access – Ankireddipally column 3 lines 63-66).

As per claim 12, Ankireddipally discloses a tracking application (see transaction service – Ankireddipally column 11 lines 56-61) for logging accesses to said resource interface (see tracking – Ankireddipally column 11 lines 56-61).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6446109 to Gupta teaches an application server and a client.

US Patent 6061721 to Ismael et al., teaches a network management system using bean-based environment.

US Patent 6266666 to Ireland et al, teaches a server and distributed component based applications.

Aaron Skonnard, "SOAP: The Simple Object Access Protocol", Microsoft Internet Developer, January 2000, teaches accessing remote objects.

US Patent 7007094 to Linderman, teaches object oriented communications.

US Patent 6457066 to Mein et al, teaches the simple object access protocol.

US Patent 6910216 to Abileah et al, teaches an application server.

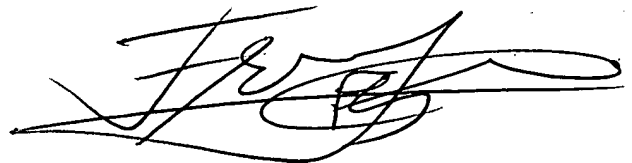
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin Mabini whose telephone number is 571-270-1142. The examiner can normally be reached on Monday-Friday 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz F. Jules can be reached on 571-272-6681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MM/

Frantz F. Jules
Supervisory
Patent Examiner

A handwritten signature in black ink, appearing to read 'Frantz F. Jules', with a stylized, flowing script.